

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Jose L. Linares
v. : Crim. No. 11-353 (JLL)
BAHADIR YAHSI : ORDER

This matter having come before the Court upon defendant Bahadir Yahsi's pretrial motions filed on July 15, 2011 [Docket Entry 24] and defendant Bahadir Yahsi's supplemental pretrial motions filed on October 10, 2011 [Docket Entry 30] (collectively, "Defendant's Pretrial Motions"); and the United States of America (the "Government") having opposed Defendant's Pretrial Motions and also having moved for reciprocal discovery pursuant to Federal Rule of Criminal Procedure 16(b) [Docket Entries 25 and 34]; and the Court having considered the papers filed by the parties and having heard the arguments of counsel; and for the reasons expressed by the Court on the record on November 10, 2011,

IT IS on this 18th day of November, 2011,

ORDERED that defendant's motion to dismiss the Superseding Indictment pursuant to Rule 12 of the Federal Rules of Criminal Procedure, as set forth in Point I(a) of defendant's briefs, be and hereby is **DENIED WITHOUT PREJUDICE** to renew at the close of the Government's case-in-chief; and it is further

ORDERED that defendant's motion to dismiss the Superseding Indictment based on Due Process grounds be and hereby is **DENIED WITHOUT PREJUDICE** to renew at the close of the Government's case-in-chief; and it is further

ORDERED that defendant's motion for a bill of particulars pursuant to Federal Rule of Criminal Procedure 7(f) be and hereby is **DENIED**; and it is further

ORDERED that the Government will produce redacted FBI 302 or other reports summarizing all statements of the defendant made either by telephone or during a meeting with the confidential informant ("CI") within thirty days of the entry of this Order; and it is further

ORDERED that the Government will produce recordings of any co-conspirator statements within thirty days of the entry of this Order; and it is further

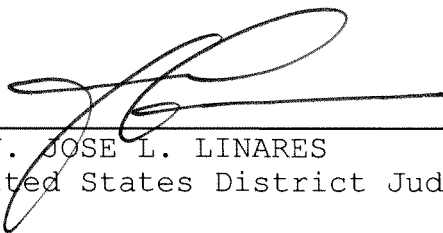
ORDERED that the Government will disclose any and all payments made to, or on behalf of, the defendant by the CI within thirty days of the entry of this Order; and it is further

ORDERED that the Government will provide Rule 404(b) material to the defendant no later than fifteen days prior to trial and defendant shall have leave to seek a continuance should the volume of information so warrant; and it is further

ORDERED, pursuant to Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure, that the Government will provide to

defendant the name of any witness offering opinion testimony whom the Government intends to offer during its case-in-chief, as well as a written summary of that witness's testimony, including all opinions, no later than forty-five days prior to trial; and it is further

ORDERED that per the consent of defense counsel, the Government's motion for reciprocal discovery pursuant to Federal Rule of Criminal Procedure 16(b) be and hereby is **GRANTED**.



HON. JOSE L. LINARES
United States District Judge